

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

UNITED STATES OF AMERICA,)
)
)
 Plaintiff,)
)
)
 v.) No. 15-4004-01-CR-C-BCW
)
)
CHARLES HOWARD TRIMBLE,)
)
)
 Defendant.)

REPORT AND RECOMMENDATION

Defendant Charles Howard Trimble has tendered a pro se document postmarked January 13, 2016. It is the policy of this Court not to consider pro se filings when a party is represented by counsel. United States v. Martin, 59 F.3d 767, 768 n.2 (8th Cir. 1995).

Moreover, on April 7, 2015, the Court entered a Scheduling and Trial Order. In Section VI, paragraph A, the Court ordered as follows:

For defendants who are represented by counsel, the Court will only accept pretrial filings made by counsel. Pro se filings **will not** be accepted for defendants who are represented by counsel.

Defendant is currently represented by attorney Troy Stabenow. Defendant's pro se filing request for the Court to dismiss the indictment is therefore in violation of the Court's Scheduling and Trial Order. It is therefore,

RECOMMENDED that defendant Charles Howard Trimble's pro se filing which requests the Court to dismiss the indictment be denied as moot. [26]

The parties are reminded that they have fourteen days from the date of receipt of a copy of this Report and Recommendation within which to file and serve objections. A failure to file and serve objections by this date shall bar an attack on appeal of the factual findings in the Report and Recommendation which are accepted or adopted by the district judge, except on the grounds of plain error or manifest injustice.

Dated this 19th day of January, 2016, at Jefferson City, Missouri.

/s/ Matt J. Whitworth

MATT J. WHITWORTH
United States Magistrate Judge